THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.22964 of 1998

ORAL ORDER:

The learned counsel for petitioner who filed this writ petition states that he has given up his vakalat as early as on 21.8.1998. In spite of the same, no arrangements have been made by the petitioner to pursue the matter.

Be that as it may, the writ petition is filed seeking a Mandamus directing the respondents to appoint the petitioner as Head Mistress in Bishop Ignatius U.P. School, Guntur basing on her seniority with effect from the date on which the fourth respondent was appointed vide letter dated 29.7.1998 issued by the second respondent with all consequential benefits by holding the action of the respondents in appointing the fourth respondent as Headmistress in preference to the petitioner is arbitrary and illegal.

It appears, petitioner as well as fourth respondent have been working as Teachers in the second respondent school and both of them were also promoted as B.Ed. Assistants and simultaneously posted at A.T.P.M. High School, Pedavadlapudi, and Nagarampalem of Guntur district. It appears, thereafter due to retirement of senior most Teacher in the Upper Primary School, Nagarampalem, fourth respondent was made as Incharge Headmistress and was paid Rs.40/- towards allowance. Aggrieved by the same, the present writ petition is fled.

It is the case of the petitioner that she is the senior most Teacher and since both the schools are under the same management, she is entitled for the post of Headmistress in Bishop Ignatius U.P. School, Nagarampalem

The respondents 1 and 3 have filed separate detailed counters denying the allegations made by the petitioner. It is asserted in the counter filed by the first respondent that firstly there is no sanctioned post of a Headmistress for Upper Primary Schools and secondly petitioner and fourth respondent got their promotions as B.Ed. Assistants at a time

simultaneously and the petitioner was posted at A.T.P.M. Pedavadlapudi, and the fourth respondent was posted at Bishop Ignatius U.P. School, Nagarampalem. The transfers are purely administrative one and the places were allotted to them by considering their family circumstances and need in the respective schools. By allotting the places, management gave least possible inconvenience to the above two incumbents and also to others, who were transferred on promotion along with the petitioner and fourth respondent. The contention of the petitioner that the management kept the fourth respondent at Guntur though she is junior and transferred her outside Guntur though she is senior is not correct. The management felt that the services of the petitioner are required in a secondary school, therefore, she was transferred on promotion and posted at A.T.P.M. High School, Pedavadlapudi which is also near to Guntur. In fact, there are no rules governing the field that the post of Headmaster of an Upper Primary School has to be filled in by posting B.Ed. Assistants according to seniority.

From the above, it is seen that neither there is any post of Headmaster in the Upper Primary School available nor there are any rules governing the said post. The petitioner has also not asserted anything about the same.

For all the reasons, the writ petition is devoid of merits and liable to be dismissed and accordingly dismissed. No order as to costs.

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C.V.RAMULU, J

Date: 20.6.2007

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.22964 of 1998

20.6.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.22964 of 1998

Date: 20th June, 2007

Between:

A.Lourdu Mary

.. Petitioner

And

The Deputy General Manager,
R.C.M. School, Diocese of Guntur Society,
RCM Church Compound, Guntur & others.

.. Respondents